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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
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Alexandria, VA 22313-1450

| | |
|------------------------|-------------------------|
| Application Number | 09/801,351 |
| Filing Date | March 7, 2001 |
| First Named Inventor | Calvin D. Ostler et al. |
| Art Unit | 3732 |
| Examiner Name | J.J. Wilson |
| Attorney Docket Number | MBM1410 |

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Preliminary Amendment

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☒ Other: Transmittal Sheet, IDS Statement, Form PTO-1449 with Reference, Return Receipt Postcard

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-1896.
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$790.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|--------------------|--|-----------------------------------|-------------------|
| Name (Print /Type) | Lisa A. Haile, J.D., Ph.D. | Registration No. (Attorney/Agent) | 38,347 |
| Signature | <i>for: Richard J. Imbrie</i> <u>Res. No. 37,643</u> | Date | February 17, 2005 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited under 37 CFR § 1.10, Express Mail Label Number EV 627 501 801 US, with the United States Postal Service as Express Mail Post Office to Addressee with sufficient postage and addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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|-------------------|------------------------|------|-------------------|
| Name (Print/Type) | Lisa E. Jambeau | Date | February 17, 2005 |
| Signature | <i>Lisa E. Jambeau</i> | | |